

Staff Report

Agenda Item:

Title: NCEC Officer Elections

☒ Action ☐ Discussion ☐ Informational

Date: October 13, 2016

Prepared By: David Rubedor, Director

Attachments: None

Requested Action: **Time Certain Action Item: 5:20 pm.** The NCEC will be electing the Chair, Vice Chair, 2nd Vice Chair and Secretary for the Commission. The election of the officers will commence at 5:20 pm.

Background: The NCEC Executive Committee was elected at the July 26th meeting of the Commission. The Committee consists of the chair, vice-chair, second vice-chair and secretary and serves for one year. There were two errors in the selection process that staff did not catch:

1. **Oath of Office.** As called for in the City Charter, members of commissions must be sign the oath of office before they are officially seated on the commission and are able to take action.

City Code Section 14.180(d)(3)

Upon appointment, before assuming full member rights and responsibilities, all members are required to sign an oath of office administered by the city clerk per the City Charter, Chapter 2, Section 18 and Minnesota Statutes 358.05.

Most members of the NCEC were not sworn in when the election was conducted. As a result, Casey Carl, City Clerk, attended the September 27th NCEC meeting and swore in all members present. However, several commissions were late to the meeting and the Commission decided to wait until October to hold the elections. Since that time, all members have been duly sworn in.

2. **Election by Majority.** The NCEC bylaws call for Executive Committee members to be elected by a majority of members:

NCEC Bylaws Section 13.3.3: The Executive Committee shall be elected by a majority vote of the seated Commissioners present on the date of election. Proxy voting is prohibited. Voting for executive committee members shall be done by roll call vote.

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Since there were multiple candidates for all positions except for secretary, no candidate received a majority (only pluralities).

Election Process: In order to provide clarity and transparency in the election process, we will be using the following guidelines for the elections:

1. **The elections will start at 5:20 pm.** Being a duly noticed meeting and to ensure everyone has the same information, the elections will begin at 5:20 pm if quorum is present. Any member arriving after this time may participate in the remaining officer elections.
2. **Quorum:** The Commission currently has 15 members. A quorum will be 8 members. All 15 members are in good standing and have been duly sworn in.
3. **Voting Eligibility:** All members in attendance at the meeting will be eligible to vote. Per the NCEC bylaws, proxy voting is not permitted. Members not in attendance of the meeting cannot vote.
4. **Chairing the Elections:** Being the highest remaining officer from the previous Executive Committee, Commissioner Kimmons will call the meeting to order and will conduct the adoption of the election rules and the election of the new Chair. Once elected, the new Chair will run the remaining officer elections and the meeting.
5. **Adopting the Election Rules:** The Commission will adopt these election rules.
 - a. Consideration of a Drop Off Rule: The NCEC by-laws state *The Executive Committee shall be elected by a majority vote of the seated Commissioners present on the date of election.* The bylaws do not specify a process to be used in the event a majority is not reached. The Commission may choose to continue to revote until a majority is reached or, as allowed with Roberts Rules, agree on adopting a "drop off rule" which will allow for the elimination of the candidates with the lowest votes.
6. **Calling for Nominations for Chair:** Commissioner Kimmons will call for nominations for Chair. Per the NCEC By-laws, a commissioner absent on the day of elections but who desires to be considered for an executive committee position must provide written documentation denoting their acceptance of a nomination for the position(s) for which they are being nominated.
7. **Candidate Presentations:** Each candidate for Chair will have up to two (2) minutes to address the full body.
8. **Voting:** A call for the vote will occur after all candidates have spoken. Voting will be done by written ballot. Each commissioner can vote for one candidate. NCR staff and one commissioner not being considered for the Executive Committee will tally the vote and report the voting results, include votes received, back to the full body.
9. **Reaching Majority:** If a majority is not reached, the process will continue, per the adopted election rules (Item #5 above). Remaining candidates will be given an

additional one (1) minute to address the full Commission and then voting will then re-occur. This process will continue until a majority is reached.

10. **Other Officer Elections:** Once a chair has been elected, he/she will run the remainder of the elections and the rest of the meeting. The process for the remaining elections will be consistent with this process and the adopted election rules.